

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

NELLIE J. STALVEY,)
Plaintiff,)
v.) No. 3:12-CV-093
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant.)

ORDER

Plaintiff has moved [doc. 20] for fees under the Equal Access to Justice Act. The defendant Commissioner does not oppose the requested relief [doc. 22]. Now before the court is the October 22, 2012 report and recommendation filed by Magistrate Judge C. Clifford Shirley, Jr. [doc. 23], recommending that plaintiff's motion for \$2,243.99 in fees be granted. There have been no timely objections filed to this report and recommendation, and enough time has passed since its filing to treat any objections as having been waived. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of this matter, the court is in agreement with the magistrate judge's conclusion. The court therefore **ACCEPTS IN WHOLE** the report and recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and incorporates into its ruling, that plaintiff's motion [doc. 20] is **GRANTED** in the amount of

Two Thousand Two Hundred Forty-Three Dollars and Ninety-Nine Cents (\$2,243.99).

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge